

REQUEST FOR BOARD ACTION

ORIGINATOR:
Village Manager
Village Attorney

COMMITTEE OF THE WHOLE MEETING: July 12, 2012

REGULAR BOARD MEETING: July 16, 2012

TITLE/DESCRIPTION: **HOME RULE BALLOT QUESTION:** Board to consider an ordinance authorizing the placement of a referendum question on the November 2012 general election ballot to consider the Village's Home Rule status.

BACKGROUND OF SUBJECT MATTER:

In 2007, the Village conducted a partial Special Census to determine the Village's population. According to the 1970 Illinois Constitution, a community whose population is 25,000 or more is automatically granted Home Rule status. The partial Special Census placed the Village's population at 26,211 and, in November 2007, the Village Board adopted Ordinance No. 07-178 declaring the Village a Home Rule community.

Article VII of the Constitution of the State of Illinois of 1970 (the "Constitution") became effective on July 1, 1971, and Section 6(a) of said Article provides that, except as limited by said Section 6, a home rule unit (as therein defined) may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt. Effectively, Home Rule status shifts decision making from the state level (Springfield) to the local level (Westmont) enabling communities to find local solutions to local problems. Home Rule communities are granted a broad range of powers for the local good unless exempted by the State.

According to the 2010 Decennial Census, the Village's population dropped to 24,685. When a municipality's population dips below the statutory 25,000 threshold, the State statute requires that a referendum question be placed on the next General Election Ballot (November 2012) to allow the voters to decide whether or not Home Rule status should be retained. Therefore, staff is recommending that the Village Board consider an ordinance that places the following question on the November 6, 2012 ballot:

Shall the Village of Westmont cease to be a home rule unit? Yes; No.

The deadline to act to file a request for such a referendum question with the Board of Election Commissioners for the November 2012 General Election is August 20, 2012. Please note that our question must also be accompanied by a certified Spanish translation.

DOCUMENTS ATTACHED:

RECOMMENDATION:

AGENDA ITEM NO. _____